Remarks

At the time of the office action dated September 27, 2005, claims 1 - 22 were pending in the present application. Claims 1 - 22 were rejected. By the present amendment, claims 1, 7, 8, 16, 17, and 20 have been amended, claim 6 has been cancelled, and new claims 23 and 24 are presented. Reconsideration of claims 1 – 5 and 7 – 24, as amended, is requested.

Claim Rejections – 35 USC § 112

Claims 7 and 16 were rejected under 35 USC § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The Examiner noted that in claims 7 and 16 there was no clear antecedent basis for the recitation "the free side of the selvage". By the present amendment, claims 7 and 16 have been amended to recite "a free side of the selvage". With this amendment, the Applicant's submit that the lack of antecedent basis has been cured.

The Examiner also asserted that claim 7 was in direct contradiction to claim 1, since claim 1 limited the warp thread density to no greater than the first warp thread density, but claim 7 recited one dent having about twice the first warp thread density. Claim 7 has been amended to recite that one dent adjacent the free edge of the selvage has double warp density and to recite this one dent as an additional element.

With these amendments, the Applicants submit that claims 7 and 16 meet the requirements of 35 USC § 112.

Claim Rejections – 35 USC § 102

Claims 1 – 3, 6, 7, 17 –19 were rejected under 35 USC § 102 as being anticipated by the Luber US Patent 4,143,679.

The Examiner asserts that claims 1 and 17 are considered to be product by process claims due to the recitation of "fabric woven on a shuttleless loom." Based on this assertion, the Examiner has applied the Luber reference that discloses fabric with a selvage having tucked or inserted weft thread ends, but does not disclose that the fabric is woven on a shuttleless loom.

The Applicants submit that claim 17 cannot be a product by process claim, since it is a method claim, not an apparatus or product claim.

By the present amendment, claims 1 and 17 have been amended to delete the limitation of "woven on a shuttleless loom." As taught in the present specification, it is the physical structure of tucked ends of weft threads in the selvage that increases the density of the selvage and causes a problem when the selvage is used as part of a jacket covering for a printing press.

The Examiner asserts that the '679 reference discloses a woven fabric using known picking techniques that includes a selvage area having tucked ends and a warp density no greater than the first warp thread density. While this assertion is generally true, it also points out an essential element of the teaching of the '679 reference that shows that it is not applicable to the present invention. The '679 reference is directed to a reinforced warp thread section or sections between a selvage and the background (or body) section of the fabric. The reinforced section is described as being used for the picking process which is used for further processing of the fabric as it is being

manufactured. Such a reinforced section is of no use in a jacket covering and would in fact interfere with use of the fabric in a jacket covering. It would have the same problems as a high density selvage as taught in the present specification. The strip and selvage would have to be removed before forming a jacket covering, a step that is specifically taught as being avoided by the present invention. Thus one skilled in the art would see no application of the '679 reference to the present invention and would be directed away from the '679 reference since it would make the problem worse, not help solve it.

The Examiner asserts that the '679 reference discloses the selvage having half the warp thread density of the first warp thread density. The Applicants disagree with this assertion. In Fig. 1 of the '679 reference, the warp density in the selvage area 11 is equal to the warp thread density in the background (or body) portion 3. In Fig. 2 of the'679 reference, the warp density in the selvage area 11 is twice the warp thread density in the background (or body) portion 3. The '679 reference does not teach a selvage having half the warp thread density of the background or body portion of the fabric.

Claims 1 and 17 have been amended to include the limitation of claim 6. The jacket covering is limited to a fabric in which the selvage forms an edge of the jacket covering that is positioned for attachment to the fastener strip on the printing press cylinder. Neither the '679 reference nor any other references teach or suggest a jacket covering including a selvage with tucked weft threads where the selvage is suitable for use as a functional edge of the jacket covering.

The Examiner asserted that the cutting step in Claims 6 and 17 is inherent in the '679 reference, since it states that the fabric is cut at the selvage. The '679 reference teaches cutting the fabric to remove the selvage from the body of the fabric. This is common practice, since the selvage is not normally considered to be a useful part of

the fabric, except during the making of the fabric and during handling of the fabric while making an end product such as a jacket covering. As taught in the present invention, product manufacturing steps and cost can be reduced by not removing the selvage, but instead using it as at least one edge of the jacket covering to be used as a means of attaching the jacket covering to a press cylinder. As discussed above, the '679 reference teaches use of a reinforced area (not a selvage) during manufacture of the fabric, not during manufacture of a final product and even suggests removal of the selvage during fabric manufacturing. Removal of the selvage is directly contrary to the present invention which is directed to improvements that allow the selvage to be used as part of the final product, a jacket covering for a printing press.

In view of these substantial differences between claims 1 and 17 and the cited reference, the Applicants submit that claims 1 and 17 are clearly patentable over the cited reference. Since claims 2-5 and 7 depend from claim 1 and claims 18-19 depend from claim 17, the Applicants submit that claims 2-5, 7, and 18-19 are also patentable over the cited reference.

Claims 8 – 11, 16, 20 – 22 were rejected under 35 USC § 102(b) as being anticipated by DeMoore US Patent 6,244,178.

The Examiner notes that the present specification cites the '178 reference and acknowledges that it is known to attach a jacket covering to a printing press cylinder by used of hook and loop fastener strips on the cylinder. The Examiner notes that the '178 reference teaches a jacket covering having a weave of 32 warp X 28 weft, that is a density of 896 and less than recited in claims 8-11. The Examiner then asserts that the

product of the prior art would either be identical to or only slightly different from the claimed product.

The '178 reference teaches a jacket covering comprising a section of woven fabric having the same warp and weft thread densities from edge to edge. It does not teach or suggest use of selvage as a part of the jacket covering. It does not teach use of a selvage having tucked weft threads as part of the jacket covering, much less as an edge for connection to the press cylinder.

As taught in the present specification, the selvage is generally useful as the edges of a cylinder jacket covering for attaching to the hook and loop strips on a press cylinder. However, when jacket coverings were made from fabric woven on shuttleless looms, a problem was encountered in using the selvage as an edge of the jacket covering. In shuttleless looms, it is standard practice to tuck the ends of weft threads, thereby doubling the weft thread density in the selvage. When this doubling is combined with conventional increased warp thread density in the selvage, the selvage density is too high to work as effectively as desired as an edge of a jacket covering. Only the present specification teaches improvements that allow use of fabric with tucked weft threads in its selvage as a press jacket covering with the selvage being used as part of the jacket covering, and in particular as an edge that is attached to the press cylinder.

Claims 8 and 20 each include limitations that are not taught or suggested by the '178 reference. Each claim is for a jacket covering comprising fabric that (1) includes a selvage and (2) the selvage includes tucked ends of weft threads and (3) the selvage has a total density of less than about 1800 thread crossings per square inch. By definition, a selvage is an edge of fabric as it is manufactured. It is therefore inherent that if a section

of fabric includes a selvage, the selvage must form at least one edge of the section of fabric.

In view of these substantial differences from the '178 reference, the Applicants submit that independent claims 8 and 20 are patentable over the '178 reference. Since claims 9-16 depend from claim 8 and claims 21-22 depend from claim 20, the Applicants submit that claims 9-16 and 21-22 are also patentable over the '178 reference.

NEW CLAIMS

New claims 23 and 24, depending from claims 17 and 20 respectively, are presented. Claims 17 and 20 have each been amended to delete the phrase "on a shuttleless loom". The new claims 23 and 24 are directed to this additional limitation of weaving the fabric on a shuttleless loom.

CONCLUSION

If any fee is due as a result of the filing of this paper, please appropriately charge such fee to Deposit Account Number 50-1515 of Conley Rose, P.C., Texas. If a petition for extension of time is necessary in order for this paper to be deemed timely filed, please consider this a petition therefore.

If a telephone conference would facilitate the resolution of any issue or expedite the prosecution of the application, the Examiner is invited to telephone the undersigned at the telephone number given below.

Respectfully submitted,

CONLEY ROSE, P.C.

Date: 12-22-05

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